|  |  |
| --- | --- |
| Congress House, Great Russell Street, London WC1B 3LStelephone: 020 7636 4030 fax: 020 7636 0632 [www.tuc.org.uk](http://www.tuc.org.uk/)General Secretary: *Frances O’Grady* Assistant General Secretary: *Kay Carberry CBE*Assistant General Secretary: *Paul Nowak* |  |
| HE Mrs Dumsile T SukatiHigh CommissionerKingdom of Swaziland20 Buckingham Gate London SW1E 6LB By email to: enquiries@swaziland.org.uk  | our ref swaziland/fog/otdate: 23 March 2014contact: Owen Tudordirect line: +44 (20) 7467 1325email: otudor@tuc.org.uk  |

Dear High Commissioner

Illegal detention of Thulani Maseko

As the British affiliate of the International Trade Union Confederation, which represents over 176 million workers in 161 countries and territories - including Swaziland – the Trades Union Congress strongly condemns the detention of Thulani Maseko.

Thulani Maseko, who is acting as legal counsel to our sister organisation the Trade Union Congress of Swaziland (TUCOSWA), was detained by armed police officers on 17 March for having written an opinion piece in the Nation Magazine regarding the circumstances surrounding the arrest of Bhantshana Gwebu, Chief Government Vehicle Inspector and a member of the National Public Servants and Allied Workers Union, arrested on 20 January for having given a ticket to a High Court driver in his capacity as Chief Vehicle Inspector.

As a Swazi citizen and a legal representative of TUCOSWA, Thulani Maseko has the right to express his opinion freely regarding the treatment of trade unionists in the judicial system. Your government ratified the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) in 1978.

The right to express opinions through the press is an essential aspect of trade union rights. The detention of trade unionists “for reasons connected with their activities in defence of the interests of workers, constitutes a serious interference with civil liberties in general and with trade union rights in particular” according to the ILO Committee on Freedom of Association.

Unfortunately, the arrest of Thulani Maseko is not an isolated case when it comes to the violation of the right to freedom of association in Swaziland. Basil Thwala, paralegal officer at the Swaziland Transport and Allied Workers Union, was detained in July 2012 and sentenced to two years imprisonment under the Road Traffic Act and the Public Order Act for having participated in a strike.

In addition, unions are denied registration and their activities are prohibited. TUCOSWA and the Amalgamated Trade Unions of Swaziland (ATUSWA) have still not been registered and are consequently unable to enjoy their rights under the Industrial Relations Act (2000).

Swaziland has come under the scrutiny of the ILO Conference Committee on the Application of Standards during all its past four sittings. Moreover, the Committee decided to include its conclusions in a special paragraph of its report in three consecutive years. We have serious concerns over the failure of the Government to implement its international commitments with respect to the right to freedom of association.

Once again, we urge the government of Swaziland to refrain from arresting and detaining trade unionists for exercising their legitimate rights and to unconditionally release Thulani Maseko and Basil Thwala. The Government of Swaziland has made commitments to the international community and is bound by its obligations under ILO Convention No. 87 and must therefore make a genuine effort to give effect to the rights under the Convention in practice.

I would be grateful if you could convey my concerns to your government. I am copying this letter to the Secretary of State for Foreign and Commonwealth Affairs.

Yours sincerely

**FRANCES O’GRADY**

General Secretary